

REMARKS/ARGUMENTS

Claims 1-162, 167, 188, and 205-265 are pending. Claims 163-166, 168-187, and 189-204 are canceled.

Applicants note with appreciation that claims 226-229 and 231-236 are allowed.

Rejections of Claims 14 and 88 and (claims depended thereon) under 35 U.S.C. § 112, ¶ 2

o) In response to the rejection of claims 14, 88, and their dependent claims, Applicants have amended claims 14 and 88 to explicitly show that, in the penultimate structure shown for the R¹⁹ moieties, the nitrogen atom adjacent to the sulfonyl has a third bond to a hydrogen. Withdrawal of this rejection is requested.

Rejection of Claims 1-9, 14-37, 42-83, 88-124, 128-144, 148-225, 250-253, and 256-260 under 35 U.S.C. § 112, ¶ 1

Claims 1-9, 14-37, 42-83, 88-124, 128-144, 148-225, 250-253, and 256-260 have been rejected under 35 U.S.C. § 112, ¶ 1 as containing subject matter which was not described in the specification. In particular, the Office Action asserts that, “The amendment with respect to the definition of the substituents on the alkyl, haloalkyl...and polyether radicals of R¹³, R¹⁴, and R¹⁵ where the list of moieties includes the moiety ‘-N⁺R⁹R¹¹R¹²A⁻’ ...is not described in the specification for the genus.”

In response, Applicants have amended claims 1-3, 8, 9, 29-31, 36, 37, 75-77, 82, 83, 121, 122, 141, 142, and 205 to delete the clause containing “-N⁺R⁹R¹¹R¹²A⁻” as the noted substituent. Withdrawal of this rejection is respectfully requested.

Rejections of Claims 1-225, 250-253, and 256-260 under 35 U.S.C. § 112, ¶ 2

b-c) In response to the rejection of claim 9 and its dependent claims as being vague and indefinite for including a slash mark through a hyphen in two locations, Applicants have amended claim 9 to delete this matter and thereby correct these typographical errors. Note that the line deleting the slash/hyphen crosses over the hyphen. Withdrawal of this rejection is respectfully requested.

Rejections of Claims 1-9, 14-35, 42-81, 88-124, 128-144, 148-162, 250-252, and 256-259 under 35 U.S.C. § 112, ¶ 1

Claims 1-9, 14-35, 42-81, 88-124, 128-144, 148-162, 250-252, and 256-2590 have been rejected under 35 U.S.C. § 112, ¶ 1 as containing subject matter which was not described in the specification. In particular, the Office Action asserts that, “The amendment with respect to the definition of R⁹ and R¹⁰ where R⁹ and R¹⁰ are independently selected from carboxyalkylheterocycle is not described in the specification for the genus.” Applicants have amended the claims to delete this term. Withdrawal of this rejection is respectfully requested.

Rejections of Claims 1-162, 167, 188, 205-225, 237-253, 255-260, 262, 263, and 265 under 35 U.S.C. § 112, ¶ 2

Claims 1-162, 167, 188, 205-225, 237-253, 255-260, 262, 263, and 265 have been rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite.

For convenience, Applicants’ remarks below are provided in lettered paragraphs using

the corresponding numbering scheme of the paragraphs in the Office Action.

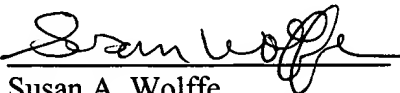
- a) Claims 1-3, 8, 9, 29-31, 36, 37, 75, 76, 77, 82, 83, 121, 122, 141, 142, 167, 188, and 205 have been amended to replace the term “-N⁺R⁷R⁸R⁹A-” with “-N⁺R⁷R⁸R⁹A-” which is a monovalent substituent.
- b) Claim 1 has been amended to replace the term “-N⁺R⁷R⁸A-” with “-N⁺R⁷R⁸A-” which is a divalent substituent.
- c) The term “carboxyalkylheterocycle” has been deleted from the claims. (See above.)
- d) In claims 1, 29, 75, 167, 188, and 205, the the term “OM” has been replaced by “-OM.”
- e) In claims 1, 29, 75, 167, 188, and 205, the term -PR¹³R¹⁴ had been split across two lines. Since the point of attachment existed, a hard return was simply used to put the whole term together.
- f) The appropriate claims have been amended to replace the term “N⁺R⁹R¹⁰A-” with “N⁺R⁹R¹⁰A-”
- g) This proviso indicates that OR⁹ is *not* substituted by -O(CH₂)₁₋₄N⁺R⁷R⁸R⁹A⁻.... This rejection is not understood. It is respectfully requested that the Examiner reconsider this rejection or call the undersigned to discuss.
- h) Claims 167 and 188 have been amended to delete the term “-S(O)_nNR¹³R¹⁴.”
- i) Claim 188 has been amended to replace the term “-N⁺R⁹R¹⁰R^wA” with “-N⁺R⁹R¹⁰R^wA-”
- k) Claim 205 has been amended as an independent claim.
- l) Claim 237 has been amended to delete one of the two formulas.

CONCLUSION

Accordingly, in view of the above amendments and remarks, this application is believed to be in condition for allowance, and a written indication of the same is respectfully requested.

Respectfully submitted,

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